



BOARD OF SELECTMEN
TOWN OF TEWKSBURY
TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876

TODD R. JOHNSON, CHAIRMAN
SCOTT WILSON, VICE CHAIRMAN
BRUCE PANILAITIS, Ph.D., CLERK
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MEETING MINUTES
FEBRUARY 24, 2015

Chairperson Todd Johnson called the meeting to order at 6:00 p.m. Present for the Board of Selectmen meeting were Bruce Panilaitis, Clerk and Board Members, David Gay and James Wentworth. Richard Montuori, Town Manager was also present. Attorney Charles Zaroulis was not present

Scheduled Items

Executive Session—Collective Bargaining

The Chair called the meeting to order at 6:00 p.m. to conduct discussion on Collective Bargaining items. Because discussion of collective bargaining matters in open session would be detrimental to the town's interest, the chair requested a motion to move to executive session.

Mr. Wilson was not present for Executive Session.

MOTION: Mr. Gay made the motion for the Board to enter into Executive Session; Mr. Wentworth seconded the motion, and on a roll call vote Mr. Wentworth, Mr. Gay, Mr. Panilaitis, and Mr. Johnson vote in favor. The motion was unanimous at 6:01 p.m.

MOTION: Mr. Gay made the motion for the Board to exit Executive Session at 6:45 p.m.; Mr. Wentworth seconded, and on a roll call vote Mr. Wentworth, Mr. Gay, Mr. Panilaitis, and Mr. Johnson vote in favor for a unanimous vote.

The Chair called for a recess until 7 pm and opened the meeting for regular session at 7:00 p.m. Mr. Wilson was present during regular session.

Brenda Gould, Habitat for Humanity—110 State Street

Ms. Brenda Gould, Executive Director of Habitat for Humanity was before the Board of Selectmen to request additional funding for the project. Ms. Gould noted that she first met with the Local Housing Partnership to present to them the proposed project (at that time) and the Partnership and she discussed an investment of \$50,000 from the town's Affordable Housing Trust Fund or Community Preservation Act funds. Ms. Gould and her team then proceeded with acquiring land for the project in Tewksbury. The town was extremely generous by donating a lot of land located at 110 State Street. A building exists on this property and the project team decided to leave the building on site as Mr. Marc Ginsburg

had committed to donate the demolition of the dwelling. In December, it was discovered during the closing there were back taxes and legal fees owed on the property. A grant in the amount of approximately \$28,000 had been awarded (a Federal Home Loan Grant). Ms. Gould then decided to go to back to the Local Housing Partnership to request \$25,000 from the Affordable Housing Trust Fund instead of \$50,000 to pay the back taxes, etc.

Ms. Gould did present to the Board a cost analysis for this project, and reasons why she would need to ask for the \$25,000 from the trust fund. She realized Tewksbury has been very generous with this project, but hopes this is a start of the great partnership in this community.

The Selectmen would need to approve any requests for transfers from the Affordable Housing Trust Fund.

Timeline for the project would have been to break ground in December, 2014; but with the snowfall it was not possible to initiate the project. The family is selected. The head of household has applied for a job in Tewksbury. A variance is needed and will be requesting this Thursday at the Board of Appeals hearing. National Grid has shut off services and a donation from the Congregational Church has been made to take down the trees. Demolition has been scheduled by mid-march. The goal is to complete the project by the end of 2015 or latest by this time (March) next year.

Housing Partnership did meet and did not have a quorum to vote on the request but there was no opposition from the members present. The Selectmen asked if the project had any contingency plans if the confirmed funds fall through. Ms. Gould noted the project would not come back to the Selectmen for additional funds; the house will happen but may take longer to build if any funding is disrupted.

Discussion took place as to the cost of the project now at \$75,000, which seems to be a high investment as comparatively surrounding communities the average cost is \$35,000-\$40,000. Ms. Gould noted this is the first time any back taxes have been owed. The funding stays within the town goes from Affordable Housing Trust Fund to General Fund as free cash.

MOTION: Mr. Wilson made the motion to approve \$25,000 from the Tewksbury Affordable Housing Trust Fund to pay expenses to the Habitat for Humanity for project at 110 State Street; seconded by Mr. Panilaitis and the motion carried 5-0.

Ms. Gould will come back in a few months to update the Selectmen on the project.

Beautification Committee

Selectman Wilson and members of the Tewksbury Beautification Committee, Jackie Stone, Chair and Paige Impink, Secretary were present. In the fall, the committee came before the Selectmen and discussed a couple of projects to implement. Good questions were raised and the committee took these into consideration and made a plan. The switchbox project is one of the projects discussed previously and the committee has done their homework to execute it. The project is time sensitive so if approved would need to put into action quickly.

The Switch Box Art Project is a public art project supported by the Tewksbury Community of Artists and the Tewksbury Beautification Committee for the purpose of promoting public art in our community while celebrating the history-past, present and future-of Tewksbury. There are a very small number of boxes to start with. Only five boxes identified and the locations are Livingston/East Street, North

Street/International Drive, Radcliff Road/Andover Street, Andover Street/North Street, Chandler Street/East Street. Examples of completed projects in other communities were shown.

Next step is the call to the artists. The committee will reach out through the art program, and the schools to look for applicants. The committee will evaluate the applications which will be a juried process from both the Beautification Committee and Tewksbury Community of Artists, and then award the boxes. The application has been drafted but no dates were added until approval was given by the Selectmen. The committee would like artists to focus on the history of Tewksbury as described in the mission statement.

The discussion then lead to accessing other boxes besides the five noted. The committee members explained the Commonwealth put in place some restrictive rules on public art projects and because many of Tewksbury's switch boxes are located on Route 38, there would be an extensive application process to undergo with the Commonwealth. The committee wants to start small and if the project takes off, it will revisit exploring boxes on Route 38. The hope is to have so many applications the committee will need to extend the project to the other boxes required to have a state application. It is also unclear what the fee would be for any box under state jurisdiction. The fee could be \$5,000 per box but the committee is unclear if the fee is per box or per community.

The Beautification Committee did explore how this type of project has been received in other communities and found there has been overwhelming support with artists competing for space. Blog feedback was researched proving many positive comments.

The applicants will be screened by a juried panel. The panel will include members of the Beautification Committee, members of the Tewksbury Community of Artists; possibly an art teacher from the Schools or a representative from public schools. The goal is to keep the work appropriate. An ideal candidate would be for a young graduating senior to participate.

There are specific paint requirements, especially the finish paint; so graffiti can be removed quickly if it were to occur

MOTION: Mr. Panilaitis made the motion to support the work of the Tewksbury Beautification Committee for the switch box project and give them the authorization the needed to initiate the program as presented; seconded by Mr. Wentworth and the motion carried 5-0

Mr. Wilson will present an update at next meeting.

Another item to discuss is the Adopt an Island Program. There are 28 islands in Tewksbury that are adoptable; some are war memorials, etc. and may not be eligible. Any group or individuals can adopt an island and design a landscape plan, with a natural element (not elaborate) and maintain the island throughout the year. Town of Tewksbury maintains a list available. If you have adopted an island it be readopted. The agreement is a term of three years. Adopters will purchase the plantings and install them, utilize natural materials, water and replace plants as needed throughout the year and maintain the space. The design cannot exceed 24" and a sign will be provided to the sponsor by the Town. There will be one sign per adopter, and no advertising will be considered.

The Beautification Committee welcomes any suggestions.

The time for landscape upkeep would be approximately the third week in May to mid-October.

Signs have been compared to requirements of the veteran's sign. The committee is trying to keep the cost manageable. The signs can be set in place and not disturb the memorial. Residents are encouraged to work with the war memorial recipients to create a partnership.

It would be possible for a local business to provide funding and volunteers to do labor, or partnerships with landscapers, etc. This is highly recommended. Consideration has been given to large containers that look like pottery to put in front of businesses for flower garden. The intention is for this project to be a volunteer initiative not town funded sites. Some consideration has been given to a "friends" committee, but would be for the future as this has happened over time in other communities. Right now the committee is at the beginning stages. Tewksbury does not have a formal Adopt an Island program.

MOTION: Mr. Gay made the motion to initiate the Adopt an Island Program as described this evening by the Tewksbury Beautification Committee; seconded by Mr. Wentworth and the motion carried 5-0.

National Grid & Verizon Pole Petition—Kingston Road

National Grid is in the process of redesigning the original proposal and is working the abutting resident.

MOTION: Mr. Wilson made the motion to withdraw the Kingston Road pole petition without prejudice; seconded by Mr. Panilaitis and the motion carried 5-0.

Brave Troops Buffet, Inc.

The Chair read the notice of a public hearing on the application of a wine and malt beverage license for Brave Troops Buffet, Inc. by its manager, Mr. Mingguang Zheng.

Mr. Zheng was present to speak to the Selectmen about this application. He is the manager and owner of Brave Troops Buffet located at 1777 Main Street, Tewksbury.

The town has total of six (6) licenses issued to them by the ABCC. Tewksbury has issued five (5) with one (1) available. If the application is approved by the Selectmen tonight, this would fill the town's wine and malt beverage license quota.

It was noted that Senior Town Counsel Zaroulis requested a few items on the application to be corrected, and these were considered to be minor clerical issues. These clerical items have been addressed by the applicant.

Proper notification to abutters has been completed. A CORI check has also been completed for the applicant. All staff is TIPS certified and they have the certificate in hand. The town departmental check list has been completed provided an all appropriate inspections have taken place.

The current business plan for the restaurant is buffet style, and Mr. Zheng has no intention of building any type of bar in the establishment. He has operated a restaurant before the inception of Brave Troops, is TIPS trained and very comfortable with the license.

Senior Town Counsel has no issue if the board sees fit to approve the applications.

Mr. Johnson opened the hearing up for public comment, and no one came forward to speak on this matter.

MOTION: Mr. Wilson made the motion to approve the wine and malt beverage license for Brave Troops Buffet, Inc. located at 1777 Main Street; seconded by Mr. Wentworth and the motion carried 5-0.

Library Trustee Vacancy

All trustees, Mr. Frank, Mrs. Impink, Mr. Walsh, Mrs. Pino and Mr. Joyce, were present for this joint meeting to discuss the vacancy of a board position on the Board of Library Trustees. A sole applicant was present for this discussion, Mrs. Lorraine “Lori” Carrier.

The Selectmen are bound by state law to act when there is a vacancy in an elected position. The purpose of this joint meeting with the Library Trustees and the Board of Selectmen is to elect a temporary trustee to serve to the next annual town election scheduled for Saturday, April 11, 2015. It is a short window to serve, but the Selectmen are required to fill this vacancy.

A vote will take place by both boards and a majority vote will prevail. The Selectmen posted the vacancy for seven days pursuant to the last meeting February 12, 2015 to February 20, 2015. Tonight there is one individual who expressed interest and has applied. The choices are to appoint/elect or repost the position should the applicant not become voted in.

Mrs. Carrier came forward to discuss her background. She is a 12-year resident of Tewksbury. In her college years she began her “love of libraries”. She is very active in Tewksbury Public Schools with the elementary school libraries and is hoping to work her way up through ages with her daughter. Mrs. Carrier feels the town offers a wonderful public library for residents and beyond, and is excited about the possibility of having the opportunity to work with the trustees to continue to provide a wonderful library for residents and beyond. Mrs. Carrier also noted she is a resident that is here to stay.

The trustees have met with Mrs. Carrier at their last meeting. Her enthusiasm is wonderful and she is very passionate. Mrs. Carrier has also pulled papers for the upcoming election and they have been certified for the position by the Town Clerk.

Mr. Frank made the nomination for Mrs. Carrier to the position of Library Trustee; seconded by Mrs. Pino and the nomination was unanimous.

There were no other nominations

MOTION: Mr. Frank made the motion to approve Mrs. Carrier for the position of Library Trustee effective immediately through the Annual Town Election on April 11, 2015; seconded by Mrs. Pino and on a roll call vote, Mrs. Pino, Mr. Joyce, Mr. Frank, Mr. Walsh, Mrs. Impink, Mr. Panilaitis, Mr. Wilson, Mr. Wentworth, Mr. Gay, and Mr. Johnson all vote in favor for a unanimous vote.

The Chair directed Mrs. Carrier to see the Town Clerk to be sworn in as soon as possible and all congratulated her on her appointment.

Residents

Mr. Johnson opened the meeting up for public comment; no one present came forward to speak.

Mr. Johnson did note an email was received by all the Selectmen at 5:45 p.m. from a resident concerned about snow removal from fire hydrants. It was noted the deficit as of last week for snow and ice budget was \$500,000. The town manager is anticipating more added to this total as it will be necessary to clear the roofs of school buildings; the senior center and police station. The snow and ice line item is allowed to run in a deficit. Currently the town is in the process of locating all and digging them out as much as possible; however there are some areas where hydrants are simply not accessible and workers cannot get to them. Right now the town is focusing on keeping the streets clear and keeping the sidewalks open as much as possible. From a resource/manpower standpoint there is simply not enough available to keep up. It has been an unprecedented winter with the snowfall, and the Town Manager is hoping the significant storms have passed us by. Community spirit needs to play a role to help keep streets clear, as there is a lack of places to put snow. There are many surrounding communities facing the same issues as Tewksbury regarding the snow and ice budget and manpower.

Mr. Johnson reminded residents that this portion of the meeting is for people to come in person if there are items for the Selectmen to address. The Selectmen took this email up as a courtesy to the resident, but would like to reinforce bringing items up in person and not via email.

New Business

None presented.

Town Manager

MOTION: Mr. Panilaitis made the motion to approve the invoices for Town Counsel Feeley in the amounts of \$2,308 and \$2,720 for the month of January 2015; seconded by Mr. Wentworth and the motion carried 5-0

Mr. Montuori noted he is trying to finish and present water and sewer rates at the next Selectmen meeting.

Outstanding Minutes: January 13, 2015 (regular session), February 3, 2015 (regular session); Board of Selectmen Clerk Minutes: January 10, 2015 (regular session)

MOTION: Mr. Panilaitis made the motion to approve the minutes for January 10, 2015 regular and executive session; January 13, 2015 regular session; February 3, 2015 regular session; February 10, 2015 regular session; seconded by Mr. Wilson and the motion carried 5-0

Board Member Reports

Scott Wilson:

- No report this evening

David Gay:

- Patriotic Activities Committee in conjunction with the Public Events Committee will hold a fundraiser on Friday night to benefit the Fourth of July fireworks; the fundraiser will be held at Tewksbury Country Club at 7:00 p.m.

James Wentworth:

- Community Preservation Committee meeting will be held tomorrow and they will hear a proposal for the historic preservation of the Marshall Homestead on Pleasant Street
- Tewksbury High School Boys Basketball will participate in the post season game at home Friday night
- Tewksbury High Girls Basketball won their first state tournament game

Bruce Panilaitis:

- Town Center Committee will meet in next few weeks to review responses to their RFP
- Economic Development Committee has not meet
- On February 17th, Mr. Panilaitis attended the open house at the Wyndham Hotel regarding the Tennessee Gas Pipeline; Kinder Morgan was unwilling to move this meeting as it was held during school vacation week, however it was well attended and Mr. Panilaitis recognized a few Tewksbury faces in the crowd—more information on the next information session is on the town website

Todd Johnson:

- Green Committee met last Tuesday to support a new grant request
- Economic Development Process Review Committee has not met due to weather; next meeting will the third week in March; and the committee has two new members
- Owe Department of Public Works and Public Safety employees recognition for outstanding work in very difficult weather circumstances

The next meeting will be held on March 10, 2015 at 6:00 p.m. with executive session and then move to regular session at 7:00 p.m. with Representative Lyons. Senator L'Italien is scheduled to attend the March 24th meeting. The Selectmen hope the Governor will have made some decisions on the budget by then.

Adjournment

MOTION: Mr. Wilson made the motion for the Board to adjourn at 8:35 p.m.; Mr. Panilaitis seconded, and the motion carried 5 to 0.

Approved by the Board of Selectmen on March 24, 2015